

ITEM 9

EXECUTIVE DIRECTOR'S REPORT

Proposed 2023 Hearing Calendar, Workload Update, and Tentative Agenda Items for the December 2022 and January 2023 Meetings (info/action)

I. PROPOSED 2022 HEARING CALENDAR (action)

Commission meetings are generally held on the fourth Fridays of odd months, unless they conflict with a holiday. In 2023, the fourth Friday in November is a holiday, therefore the first Friday of December is proposed for this hearing. Additionally, the May hearing is proposed to remain on the Friday of the Memorial Day weekend, as is usual. Therefore, all 2023 regular meetings are proposed for the fourth Fridays of odd months, except for the November hearing, which is proposed for the first Friday of December.

In addition, tentative hearing dates are proposed for April 28, 2023 and October 27, 2023.

Staff recommends that the Commission adopt the proposed 2023 hearing calendar as follows:

COMMISSION ON STATE MANDATES

2023 HEARING CALENDAR

(The Commission will conduct its hearings at 10:00 a.m. on Fridays)

Friday, January 27, 2023

Friday, March 24, 2023

Friday, April 28, 2023 (Tentative)

Friday, May 26, 2023

Friday, July 28, 2023

Friday, September 22, 2023

Friday, October 27, 2023 (Tentative)

Friday, December 1, 2023

II. New Commission Staff

The Commission has recently hired a new Associate Governmental Program Analyst – Human Resources (AGPA-HR), Soroush Kanimani.

After earning his Associate of Arts degree in Political Science at Fullerton Community College, Mr. Kanimani graduated with a Bachelor of Arts degree in Political Science, Middle Eastern & Islamic Studies from California State University Sacramento.

Soroush comes to us from the California Department of Tax and Fee Administration, where he worked as a Staff Services Analyst in the External Affairs section and then in the Publications and Forms section. In those positions, in addition to editing and other duties, he served as the Attendance and Training Coordinator and the Human Resources Bureau Liaison, responsible for

preparing packages for recruitments and separations. This is a promotion for Soroush, who is looking forward to becoming expert in all things HR.

Mr. Khanimani joined us on August 22 and we are delighted to have him on board.

III. WORKLOAD¹ (info)

A. COMPLETED WORKLOAD SUMMARY

Type of Caseload	Completed in 2021-2022	Completed in 2022/2023
Test Claims	3	1
Parameters & Guidelines	2	0
Parameters & Guidelines Amendments	1	0
Requests for Reconsideration	0	0
Statewide Cost Estimates	2	1
Request to Review Claiming Instructions	0	0
Requests for Mandate Redetermination ²	0	0
Requests for Mandate Redetermination to be Amended, Set Aside, or Reinstated, as Directed by the Legislature or Court Action	0	0
Requests for Mandate Redetermination Reconsideration Based on Court Action	0	0
Incorrect Reduction Claims	4	1
Appeal of Executive Director Decisions	0	0
Order to Set Aside a Test Claim, Parameters and Guidelines or Incorrect Reduction Claim Decision	0	0

B. COMMISSION WORKLOAD REPORT

Type of Action	Pending on 7/1/2022	Filed Since 7/1/2022	Completed Since 7/1/2022	Pending on 9/1/2022
Test Claims	40	0	1	39 ³

¹ As of September 1, 2022.

² Requests for Mandate Redetermination require a two-hearing process.

³ 37 of the 39 pending local agency claims are regarding National Pollutant Discharge Elimination System (NPDES) permits. There are no school district test claims currently pending.

Type of Action	Pending on 7/1/2022	Filed Since 7/1/2022	Completed Since 7/1/2022	Pending on 9/1/2022
Parameters and Guidelines	1	0 ⁴	0	1 ⁵
Joint Reasonable Reimbursement Methodologies	0	0	0	0
Pending Requests To Jointly Develop Legislatively Determined Mandates	0	0	0	0
Requests for Reconsideration	0	0	0	0
Requests to Review Claiming Instructions	0	0	0	0
Statewide Cost Estimates	3	0 ⁶	1	2
Test Claim Reconsiderations or Reinstatements Based on Court Action	0	0	0	0
Parameters and Guidelines to be Amended, Set Aside, or Reinstated, as Directed by the Legislature or Court Action	0	0	0	0
Proposed Amendments to Parameters and Guidelines	1	0 ⁷	0	1
Requests for Mandate Redetermination ⁸	0	0	0	0

⁴ A test claimant may file proposed parameters and guidelines or Commission staff may prepare and issue draft expedited parameters and guidelines upon the adoption of an approved test claim or upon the expiration of a joint reasonable reimbursement methodology.

⁵ This Parameters and Guidelines is on inactive status pending the outcome of litigation on the underlying Test Claim Decision.

⁶ Statewide cost estimates are not filed, but are issued by the Commission after claiming instructions have been issued and initial claims have been received by the State Controller's Office.

⁷ An affected local or state agency may file proposed parameters and guidelines amendments for any of the reasons specified by section 1183.17 of the Commission's regulations or Commission staff may be issue them upon the adoption of new test claim decision under the mandate redetermination process.

⁸ Requests for Mandate Redetermination require a two-hearing process.

Type of Action	Pending on 7/1/2022	Filed Since 7/1/2022	Completed Since 7/1/2022	Pending on 9/1/2022
Requests for Mandate Redetermination to be Reconsidered, Amended, Set Aside, or Reinstated, as Directed by the Legislature or Court Action	0	0	0	0
Incorrect Reduction Claims	3	0	1	2
Incorrect Reduction Claims to be Reconsidered Based on Court Action	0	0	0	0
Appeals of Executive Director's Decisions	0	0	0	0
Order to Set Aside a Test Claim, Parameters and Guidelines or Incorrect Reduction Claim Decision	0	0	0	0
Regulatory Actions Pending	1	0	0	0
Applications for Findings of Significant Financial Distress	0	0	0	0

III. TENTATIVE AGENDA ITEMS (info)

The tentative agenda items are subject to change based on, among other things, Commission workload, staffing, litigation, requests for extensions of time to file comments on draft proposed decisions, hearing postponements, informal conferences, and the complexity of the matters.

December or January 2023 Meetings

A. TEST CLAIMS

1. *California Regional Water Quality Control Board, Santa Ana Region, Order No. R8-2009-0030, 09-TC-03*
County of Orange, Orange County Flood Control District, Cities of Anaheim, Brea, Buena Park, Costa Mesa, Cypress, Fountain Valley, Fullerton, Huntington Beach, Irvine, Lake Forest, Newport Beach, Placentia, Seal Beach, and Villa Park, Claimants
2. *California Regional Water Quality Control Board, San Diego Region, Order No. R9-2009-0002, 10-TC-11*
County of Orange, Orange County Flood Control District, Cities of Dana Point, Laguna Hills, Laguna Niguel, Lake Forest, Mission Viejo, and San Juan Capistrano, Claimants
3. *California Regional Water Quality Control Board, San Diego Region, Order No. R9-2010-0016, 11-TC-03*
County of Riverside, Riverside County Flood Control and Water Conservation District, and the Cities of Murrieta, Temecula, and Wildomar, Claimants

4. California Regional Water Quality Control Board, Los Angeles Region, Order No. R4-2012-0175, 13-TC-01 and 13-TC-02
County of Los Angeles and Los Angeles County Flood Control District, and the Cities of Agoura Hills, Bellflower, Beverly Hills, Carson, Cerritos, Commerce, Downey, Huntington Park, Lakewood, Manhattan Beach, Norwalk, Pico Rivera, Rancho Palos Verdes, Redondo Beach, San Marino, Santa Clarita, Santa Fe Springs, Signal Hill, South El Monte, Vernon, Westlake Village, and Whittier, Claimants
5. *Juveniles: Custodial Interrogation*, 21-TC-01
County of Los Angeles, Claimant

B. STATEWIDE COST ESTIMATES

County of Los Angeles Citizens Redistricting Commission, 19-TC-04

C. INCORRECT REDUCTION CLAIMS

Interagency Child Abuse and Neglect Investigation Reports (ICAN), 20-0022-I-02
City of South Lake Tahoe, Claimant